

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOANNE VOLPETTI, :  
Plaintiff, : **ORDER**  
- against - :  
UNILEVER, INC., UNILEVER, INC. d/b/a :  
Q-TIPS COTTON SWABS, CHESEBROUGH- :  
PONDS USA CO., INC., CHESEBROUGH- :  
PONDS USA CO., INC. d/b/a Q-TIPS COTTON :  
SWABS, SHOPRITE SUPERMARKETS, INC., :  
Defendants. :  
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VITALIANO, D.J.

On February 13, 2007, plaintiff filed a “verified complaint” sounding in negligence. It contains no jurisdictional statement and fails to otherwise allege or support a basis of federal jurisdiction. The attached civil cover sheet states that federal jurisdiction is based on diversity. 28 U.S.C. § 1332. According to the complaint, however, one or more corporate defendants, like plaintiff, is a citizen of New York. That there is not complete diversity between plaintiff and defendants is established by plaintiff’s own allegations. Given that no proper basis of federal jurisdiction is, or can be, pled, the complaint is hereby dismissed *sua sponte* without prejudice to refiling in an appropriate forum.<sup>1</sup>

**SO ORDERED.**

Dated: Brooklyn, New York  
February 15, 2007

/ s / Eric N. Vitaliano  
ERIC N. VITALIANO  
United States District Judge

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<sup>1</sup> In the course of reviewing plaintiff’s submission, it has become apparent that plaintiff’s counsel has not updated his record of current employment on file with this Court. He is, therefore, ordered to do so within 30 days.